

CITY OF SAN CLEMENTE

City Council Minutes

Regular City Council Meeting – December 20, 2016

These minutes reflect the order in which items appeared on the meeting agenda and do not necessarily reflect the order in which items were actually considered.

A Regular Meeting of the San Clemente City Council was called to order on December 20, 2016 at 6:02 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Pro Tem Ward.

PRESENT BROWN, HAMM, WARD

ABSENT MAYOR BAKER, DONCHAK

STAFF PRESENT Erik Sund, Assistant City Manager; Scott Smith, City Attorney; Joanne Baade, City Clerk; Laura Campagnolo, Deputy City Clerk

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INVOCATION

Fr. Lewis Powell, St. Michael's Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Councilmember Brown led the Pledge of Allegiance.

A. **ELECTION RESULTS, ADMINISTRATION OF OATH OF ALLEGIANCE, AND ELECTION OF MAYOR AND MAYOR PRO TEMPORE**

(1) **Results of the General Municipal Election Held on November 8, 2016**

City Clerk Baade reviewed the contents of the Administrative Report and responded to Council inquiries.

MOTION BY COUNCILMEMBER BROWN, SECOND BY COUNCILMEMBER HAMM, CARRIED 3-0 (MAYOR BAKER AND COUNCILMEMBER DONCHAK ABSENT), to adopt Resolution No. 16-74 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD IN THE CITY ON NOVEMBER 8, 2016, DECLARING THE RESULTS, AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

(2) **Oath of Allegiance - Newly-Elected City Clerk and City Treasurer**

Deputy City Clerk Campagnolo administered the Oath of Allegiance to City Clerk-Elect Joanne Baade and City Treasurer-Elect Mark A. Taylor.

(3) **Oath of Allegiance - Newly-Elected Councilmembers**

City Clerk Baade administered the Oath of Allegiance to Councilmembers-Elect Chris Hamm and Steven Swartz.

Councilmembers Hamm and Swartz assumed their seats at the dais.

(4) **Election of Mayor and Mayor Pro Tempore**

City Clerk Baade opened nominations for the office of Mayor.

Councilmember Brown nominated Kathy Ward for the office of Mayor. Councilmember Hamm seconded the nomination.

There being no other nominations, MOTION BY COUNCILMEMBER BROWN, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to close nominations and elect Kathy Ward to the office of Mayor.

Mayor Ward opened nominations for the office of Mayor Pro Tem.

Councilmember Hamm nominated Tim Brown for the office of Mayor Pro Tem. Councilmember Swartz seconded the nomination.

There being no other nominations, MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to close nominations and elect Tim Brown to the office of Mayor Pro Tem.

Mayor Pro Tem Brown expressed appreciation to former Councilmember Baker for his service on the City Council, which included two terms as Mayor; welcomed Councilmember Swartz to the City Council and congratulated Councilmember Hamm on his re-election.

Councilmember Swartz thanked his family and supporters for helping throughout his campaign; stated that he looks forward to working for the community.

Mayor Hamm thanked his family and residents for their support; noted that he looks forward to giving back to the community.

1. SPECIAL PRESENTATIONS**A. Holiday Serenade – Vista Del Mar Elementary School 5th Grade Class**

The 5th grade class at Vista Del Mar Elementary School, under the direction of Debbie Peterson and Greg Rinnie, performed a holiday serenade.

B. Presentation of Commendation – Chris Hangan, Eagle Scout

Mayor Ward presented a Commendation to Chris Hangan, for achieving the rank of Eagle Scout.

C. Presentation of Commendation – Mitchell Rhine, Eagle Scout

Mitchell Rhine was unable to attend the meeting.

2. ORAL COMMUNICATIONS (PART 1)**Recount of Measure OO Vote (Increase in Hotel Guest Tax)**

Brad Malamud, San Clemente, urged Council to exercise transparency when making decisions concerning agenda items that require immediate action; suggested that a Brown Act violation occurred when the decision was made to not pursue the recount on Measure OO because it did not happen in a public meeting; stated the City Manager lacked the authority to cancel the recount.

Public Safety Concerns (Transient and Homeless Individuals)

Linda DeFonce, San Clemente, opined that the transient and homeless population in the downtown area negatively affects business, the City's image, and public safety.

Traffic Calming on Paseo de Cristobal

Charlie Larwood, San Clemente, thanked Council for approving the restriping of Paseo de Cristobal; noted that the elimination of the centerline has calmed traffic and increased safety.

Mortality Rates Since the Closure of San Clemente Hospital

Dr. Steve Cullen, San Clemente, opined that mortality rates have increased since the closure of San Clemente Hospital; stated that data are not available to the general public relative to the number of deaths that occurred during transport to Mission Hospital; urged that the City seek records from the Orange County Fire Authority to determine the actual mortality figures.

Recognition of Incoming and Outgoing Councilmembers

Joe Janis, San Clemente, thanked former Councilmember Baker for his eight years of service to the City; welcomed Councilmember Swartz to the Council and congratulated Councilmember Hamm on his re-election.

Homeless Shelters

Jenifer Massey, San Clemente, expressed concern for homeless people during inclement weather and questioned whether shelters are available for those individuals.

Council requested that San Clemente Police Services provide a report to Council on homelessness in San Clemente at the February 7, 2017 Council meeting.

- 3. MOTION BY COUNCILMEMBER HAMM, SECOND BY MAYOR PRO TEM BROWN, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to waive reading in full of all Resolutions and Ordinances.

- 4. **CONSIDERATION OF AGENDIZING ITEMS REQUIRING IMMEDIATE ACTION**

None.

- 5. **CLOSED SESSION REPORT – CITY ATTORNEY**

None.

6. **CONSENT CALENDAR**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to approve the Consent Calendar, with the removal of Item 6-E.

A. **City Council Minutes**

None.

B. **Receive and file:**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to receive and file the following:

1. Minutes of the Regular Coastal Advisory Committee meeting of October 13, 2016.
2. Minutes of the Regular Zoning Administrator meeting of December 7, 2016.

C. **Warrant Register**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to approve:

Warrant Nos. 537635 through 537750
paid on 12/2/2016, in the amount of\$448,409.97

Wire Transfers 1580 through 1583 and
Warrant Nos. 537751 through 537875
paid on 12/9/2016, in the amount of\$954,780.66

TOTAL WARRANT REGISTER ...\$1,403,190.63

Payroll Register

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to approve:

Warrant Nos. 546 through 547 and Automatic Deposit Advises 36787 through 37058 for the period 11/21/2016 through 12/4/2016, paid on 12/9/16, in the amount of.....\$493,685.40

TOTAL PAYROLL REGISTER\$493,685.40

D. **Revisions to the Community Development Block Grant Program Policy and Procedure Manual, Home and Commercial Rehabilitation Programs**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to:

1. Approve the revised Home Rehabilitation Program Policy Manual.
2. Approve the revised Commercial Rehabilitation Rebate Program Policy and Procedure Manual.

F. **Contract Amendment – Temporary Staff Augmentation (Development Section of the Public Works Department)**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to:

1. Approve a budget transfer in the amount of \$30,000 from Account 001-414-41010 (Salaries, Full Time) to Account 001-414-43560-000-00000 (Clerical Services).
2. Approve, and authorize the Mayor to execute, Amendment No. 2 to Contract AC-690, by and between the City of San Clemente and Project Partners. This amendment will increase the contract amount from \$65,000 to \$95,000, an increase of \$30,000, and will extend the contract term to April 30, 2017.

G. Supplemental Appropriation – Cost-of-Service Water Study

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to approve a supplemental appropriation in the amount of \$87,000 to Other Professional Services, Account 052-461-43690, from the Water Operating Fund balance.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION**E. Contract Award – North El Camino Real Street and Sidewalk Improvements and Class 1 Bicycle and Pedestrian Path**

Lynn Hopper, San Clemente, spoke in support of the project and suggested that it should match the bike path that exists from Poche to Doheny.

Ellie Hammargren, San Clemente, urged Council to support the project; cited safety concerns with students riding their bicycles to Shorecliffs Middle School and San Clemente High School.

Pete Van Nuys, San Clemente, spoke in support of the project, noting that it will complete the non-motorized connection between Dana Point Harbor, Doheny State Beach, North Beach, and the Beach Trail; commented on the financial benefit that will result from the project, especially in North Beach.

Jenifer Massey, San Clemente, spoke in support of the project and thanked Council for its efforts to improve bicycle and pedestrian safety.

Brenda Miller, San Clemente, reviewed the history of the project; urged Council to support Staff's recommendation and requested that a ribbon cutting ceremony take place when the project is completed.

Transportation Engineering Manager Frank reviewed the project and responded to Council inquiry.

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to:

1. Approve the plans and specifications for the North El Camino Real Street and Sidewalk Improvements and Class I Bicycle and Pedestrian Path, Project Nos. 13308, 14325 and 16344.

Action continued on next page

2. Approve, and authorize the Mayor to execute, Contract C16-77, by and between the City of San Clemente and GMC Engineering, Inc., providing for North El Camino Real Street and Sidewalk Improvements and Class I Bicycle and Pedestrian Path, in the amount of \$1,904,969.
3. Approve a supplemental appropriation of \$86,000 from the Gas Tax undesignated fund balance to Account 012-861-45300-000-13308.

7. **PUBLIC HEARINGS**

A. **General Plan and Zoning Cleanup Edits – General Plan Amendment (GPA) 16-374/Zoning Amendment (ZA) 16-375**

Public Hearing to consider adopting City-initiated amendments to the Centennial General Plan, land use map, Zoning Ordinance, and zoning map.

Associate Planner Wright reviewed the contents of the Administrative Report and responded to Council inquiries.

Mayor Ward opened the Public Hearing.

David Ochoa, San Clemente, stated that he owns the property at 1510 Avenida de la Estrella; explained that his property was zoned Heavy Industrial when he purchased it from the City in 1971, but at some point, one quarter of the property was rezoned to Light Industrial; requested that his full property be zoned as Heavy Industrial.

There being no others desiring to speak to this issue, the Public Hearing was closed.

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to:

1. Find that the project is exempt from further review of the California Environmental Quality Act (CEQA) beyond Final Environmental Impact Report (EIR), State Clearinghouse No. 2013041021, certified for the Centennial General Plan on February 13, 2014, pursuant to California Public Resources Code §21083.3.

Action continued on next page

2. Adopt Resolution No. 16-75 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT 16-374 AND GENERAL PLAN LAND USE MAP AMENDMENTS, TO CLARIFY POLICY INTENT BY FIXING ERRORS, CLARIFYING, REVERSING UNINTENDED CHANGES MADE PREVIOUSLY, AND ADDING STANDARDS TO PROVIDE GUIDANCE ON OPEN SPACE EASEMENTS.
3. Introduce Ordinance No. 1638 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING ZONING AMENDMENT 16-375, AMENDING TITLE 17 OF THE SAN CLEMENTE MUNICIPAL CODE AND THE ZONING MAP, TO CLARIFY POLICY INTENT BY FIXING ERRORS, CLARIFYING, REVERSING UNINTENDED CHANGES MADE PREVIOUSLY, AND ADDING STANDARDS TO PROVIDE GUIDANCE ON OPEN SPACE EASEMENTS.
4. Direct staff to incorporate the General Plan amendments into the Coastal Land Use Plan for future consideration.
5. Direct Staff to research, as part of the West Pico Corridor Specific Plan review process, the zoning issue involving the property at 1510 Avenida de la Estrella that was raised by David Ochoa during this evening's Public Hearing.

B. City of San Clemente Annual Report Concerning the Mitigation Fee Act for Fiscal Year 2016

Public Hearing to consider the City of San Clemente Annual Mitigation Fee Act Report for Fiscal Year 2016.

Business Services Officer Rendina reviewed the contents of the Administrative Report and responded to Council inquiries.

Mayor Ward opened and closed the Public Hearing, there being no one desiring to speak to this issue.

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to receive and file the Annual Report concerning the Mitigation Fee Act for Fiscal Year 2016.

8. **UNFINISHED BUSINESS**

None.

9. **NEW BUSINESS**

A. **Selection of San Clemente Trolley Theme and Colors**

Report from the Public Works Director/City Engineer concerning the selection of the theme and colors for the San Clemente Trolley.

Deputy Public Works Director Bonigut reviewed the contents of the Administrative Report.

Council appointed Councilmembers Hamm and Swartz to comprise an ad-hoc committee to review potential themes and colors for the San Clemente Trolley.

B. **Alleged Violation of City Code of Ethics Policy 1202-1**

Report from the City Clerk concerning an alleged violation of City Code of Ethics Policy 1202-1.

City Clerk Baade reported that she received a written complaint on December 15, 2016 that alleged that the City Manager violated City Code of Ethics Policy 1202-1; noted that the complaint is attached to the Administrative Report for this item; explained that the City Manager indicated prior to the complaint being received that he would be unable to attend this meeting, but stated that she is prepared to answer questions in his absence since she was involved in the issue.

Jim Bieber, San Clemente, narrated a PowerPoint presentation that is on file with the City Clerk; alleged that a letter was sent by the City Manager, on City letterhead, to the Registrar of Voters that requested a recount of the votes cast in the November 8, 2016 election relating to Measure OO (Increase in Hotel Guest Tax); stated that three Councilmembers, at the Council meeting of December 6, 2016, voted to request a recount at taxpayer expense and opined that such action is illegal; conveyed his opinion that Council allocated public funds to advocate for Measure OO; stated that the Orange County Board of Supervisors has asked the Registrar of Voters to itemize the costs that were incurred with regard to preliminary recount actions and stated that Councilmembers who voted in support of the recount should reimburse the taxpayers.

Brad Malamud, San Clemente, urged that Council determine the facts relating to the subject issue and, if it is found that inappropriate actions were taken, that steps be taken to ensure that they do not recur in the future; opined that ethics complaints are not productive and stated that City representatives try to act in the community's best interests.

During the ensuing discussion, Staff (consisting of the Assistant City Manager, City Attorney and City Clerk), reviewed the history of the recount issue as follows:

On December 6, 2016, the City of San Clemente received the certified election results for the November 8, 2016 General Municipal Election from the Orange County Registrar of Voters. Measure OO (Increase in Hotel Guest Tax), that appeared on the November 8, 2016 General Municipal Election ballot, received 15,035 votes in favor of the measure, and 15,043 votes in opposition to the measure (a difference of 8 votes). Because of the closeness of the vote, Council added Measure OO to the agenda for its December 6, 2016 meeting to enable it to consider whether or not to pursue a recount. The California Brown Act allows items to be added to an agenda by a 4/5s vote when 1) there is a need to take immediate action and the need for action came to the City's attention after the agenda was posted, and 2) action cannot be deferred to the next meeting. Measure OO qualified for addition to the published agenda because of the strict time constraints associated with submitting a recount request. Specifically, the California Elections Code requires that recount requests be submitted within five days of the completion of the certified election results. The election results were completed and certified on December 6, 2016; hence, the deadline to submit the paperwork necessary to pursue a recount was Sunday, December 11, 2016.

Council ultimately voted at its December 6, 2016 meeting, by a majority vote, to pursue a recount. Subsequent to this action, however, the Registrar of Voters informed the City that Elections Code Section 15620(a) requires that a recount request be submitted by a voter with a stated position (affirmative or negative) in the matter, as opposed to being submitted by the City as a non-partisan entity. Because the City lacked the legal standing to request a recount, the City's recount request could not be implemented.

At this point, Staff considered whether alternative options would be available to enable it to follow through with Council's direction for a recount. One possibility that was considered was that of the City Manager submitting the recount request in his capacity as a

registered voter of the City. While the Registrar of Voters was willing to accept a recount request by the City Manager as a registered voter, additional complications came to light, including the issue of financial responsibility for the recount since the registered voter who requests a recount is the person financially responsible for the cost of the recount. Because of the compounding factors that arose with regard to this option, City Manager Makshanoff determined to not request the recount in his personal capacity as a registered voter.

In summary, the City lacked the legal standing to request a recount, and because no other appropriate alternative existed, the recount effort could not move forward.

With regard to the ethics complaint under consideration, City Clerk Baade pointed out that the letter from the City Manager to the Registrar of Voters that was displayed by Mr. Bieber was a draft that was submitted for preliminary content approval; noted that it was standard procedure for her to send a draft letter to the Registrar of Voters to ensure that it would be accepted by the County, if issued; noted the importance of ensuring that the letter met all legal and procedural requirements, because the failure of the City to submit an acceptable request letter to the Registrar of Voters by the statutory deadline of Sunday, December 11, 2016 at 5:00 p.m. would have negated the City's opportunity to seek a recount; stated that the complainant's letter incorrectly stated that the draft letter triggered the Registrar of Voters to start work on the recount; reported that the Registrar of Voters commenced preliminary work on the recount on December 7, 2016 (the day immediately following Council's action to pursue the recount), but the draft letter was not sent to the Registrar for content approval until December 8, 2016.

Mayor Pro Tem Brown voiced concern that the City has received four ethics complaints in the last six months, noting that all of the letters seem to have originated from the same person; read an email, dated December 20, 2016 (which is on file with the City Clerk), that was sent to the Deputy City Clerk earlier today along with a PowerPoint that the sender requested be displayed during the public comments portion of this agenda item; voiced concern that the email is abusive and unwelcome.

MOTION BY COUNCILMEMBER HAMM, SECOND BY MAYOR PRO TEM BROWN, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to direct the City Clerk to dismiss the complaint and notify the complainant and the person named in the complaint of that action.

Mayor Pro Tem Brown requested that Staff prepare detailed minutes of this agenda item and that the explanation for not pursuing the recount be posted to the City's website.

10. **ORAL COMMUNICATIONS (PART 2)**

None.

11. **REPORTS**

A. **Commissions and Committees**

(1). **Human Affairs Committee and Golf Course Committee Vacancies**

City Clerk Baade reviewed the contents of the Administrative Report and responded to Council inquiries.

Council authorized the City Clerk to advertise the Golf Course Committee and Human Affairs Committee vacancies at this time and to establish January 25, 2017 at 6:00 p.m. as the date/time to conduct interviews and make appointments.

Council requested that the City Clerk inform the citizens who were interviewed for positions on the Human Affairs Committee in June 2016 about the current vacancies to determine whether they would be interested in being considered for the current openings.

(2). **2016 Update to Council Appointees to Regional Committees, Commissions and Boards**

City Clerk Baade reviewed the contents of the Administrative Report.

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to update Council’s appointees to regional committees, commissions and boards as follows:

Committee/Commission/Board	Representative(s)
Capistrano Unified School District Liaison Committee	Brown
Coastal Animal Services Authority (CASA)	Hamm/Swartz (Alt.)

Listing continued on next page

Conservancy (Elected/Appointed Representative to Friends of the Reserve Commission)	Hamm is the City's Elected/Appointed Rep; Patricia Holloway is the Community "At Large" Representative (term expires June 30, 2018); The Talega HOA Representative is Laurie Gooch (term expires June 30, 2018).
Economic Development (Includes Chamber of Commerce and DBA Representatives)	Hamm/Swartz (Alt.) <i>Note: The Mayor will continue to attend ribbon cutting ceremonies.</i>
Emergency Operational Area Council (Orange County)	Mayor and Mayor Pro Tem
Fire Authority (Orange County)	Brown
Insurance Authority (California Joint Powers Insurance Authority)	Donchak/Swartz (Alt.)
Investment Advisory Committee	Swartz
Legislative Delegate Program - Representative to Senate District 38	Mayor and Mayor Pro Tem
Legislative Delegate Program - Representative to 73 rd Assembly District	Mayor and Mayor Pro Tem
Library Task Force (Orange County)	Donchak/Swartz (Alt.)
Mayors (South Orange County Association of Mayors)	Mayor
U.S. Marine Corps Liaison	Brown
MWDOC Interaction of Elected Officials	Swartz/Brown (Alt.)
Nine South County Water Agencies. (This is the name of a group that consists of nine South Orange County water agencies).	Swartz/Brown (Alt.)
Pier Bowl Association	Hamm

Listing continued on next page

Project Participation Committee (Dana Point Ocean Water Desalination Plant Project)	Brown/Swartz (Alt.)
Sand Replenishment Project	Hamm/Swartz (Alt.)
SCAG General Assembly	Donchak
Social Service/Community Service Budget Committee	Donchak
South Orange County Watershed Management Area Executive Committee	Brown/Swartz (Alt.)
Transportation Corridor JPA (San Joaquin Hills and Foothill)	Appointment was deferred to Council meeting of 1/17/17
Transportation Corridor System	Appointment was deferred to Council meeting of 1/17/17
Vector (Orange County Vector Control)	Jim Dahl (term expires January 2018)
Wall of Recognition	Hamm

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to adopt Resolution No. 16-76 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS, with the insertion of Mayor Pro Tem Brown's name as the City of San Clemente's director.

A. City Manager

FAMILY Shelter Ribbon Cutting

Assistant City Manager Sund reported on his attendance at FAM's FAMILY Shelter ribbon cutting ceremony; commended Taylor Morrison for its efforts.

B. City Attorney

None.

D. Council Members**Historical Society Museum (Possible Lease of the City's Former Shuffleboard Court)**

Councilmember Hamm requested that the possibility of leasing the former shuffleboard court at the Community Center to the San Clemente Historical Society for its museum be agendaized for a future Council meeting.

Records Requests for Mortality Rates Since the Closure of San Clemente Hospital

Councilmember Hamm requested that Staff submit a public records request to the Orange County Fire Authority (OCFA) to ascertain mortality rate figures subsequent to the closure of San Clemente Hospital.

San Clemente High School Football Team (CIF Division 1-A State Champions)

Councilmember Hamm congratulated the San Clemente High School football team for winning the CIF Division 1-A State Championship and invited the public to attend the Triton Victory Parade on December 21, 2016.

City Code of Ethics Policy 1202-1 Update

Councilmember Brown requested that Staff agendaize the City's Ethics Policy for a future Council meeting; asked that Staff identify areas of the Policy that are inconsistent with the Political Reform Act and/or Fair Political Practices Commission regulations or that overlap with the responsibilities of other agencies.

2017 Goals

Councilmember Swartz stated that he is looking forward to working with others to address community concerns in 2017.

Transportation Corridor Agency (TCA)

Mayor Ward reported that she commented at the last TCA meeting relative to the City Council's position on the possible extension of the 241 to the I-5, noting that her comments were read into the record; noted that two transportation bills have been introduced to address environmental issues and requested that her statement before the TCA be provided to appropriate legislators.


12. **RESOLUTIONS/ORDINANCES**

None.

13. **ADJOURNMENT**

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to adjourn at 8:26 p.m. in memory of Orange County Fire Authority Captain Eric Weuve and in honor of all first responders and military personnel. The next Regular City Council Meeting will be held on January 17, 2017 in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. Closed Session items will be considered at 5:00 p.m. The Regular Business Meeting will commence at 6:00 p.m.

The Regular Council Meeting of January 3, 2017 was previously cancelled.


MAYOR of the City of
San Clemente, California


CITY CLERK of the City of
San Clemente, California